



AM-101323

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/823,973 Confirmation No. : 5335  
Applicant : Gibbons et al  
Filed : April 14, 2004  
Art Unit : 1642  
Examiner : Fetterolf, Brandon J  
Customer No. : 38199  
Title : ANTINEOPLASTIC AGENTS

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

Applicant submits to the Examiner the attached Form PTO/SB/08/A document listing and this paper pursuant to 37 CFR § 1.56 and § 1.97-1.98. Form PTO/SB/08/A is attached and copies of the documents are enclosed herewith. This Information Disclosure Statement is submitted with a Request for Continued Examination. No fee is believed due.

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees to our Deposit Account Number 08-3040.

Express Mail No. EO 930 279 265 US

## REMARKS

A Chilean examination report was issued in the Chilean counterpart to the present application. This examination report identified seven Chilean patent documents as being relevant to inventiveness, i.e., obviousness, of the counterpart application. These patent documents have not been provided to us, but based upon the US priority information provided for each of these applications, the corresponding US patent applications, patents, or PCT applications have been identified.

DN1 CL1928-01 (Wyeth, priority US 60/224,326) corresponds to US 6,511,986.

DN2, CL1772-02 (Wyeth, priority US 60/310,646), corresponds to US 6,617,333, which is of record in this application.

DN3, CL2739-01 (Wyeth, priority US 60/249,077) corresponds to US Published Patent Application 2003-0153593, which is of record in this application.

DN4, CL 676-02 (American Home Products, priority US 60/282,385), corresponds to US Published Patent Application Nos. US 2005/0187194 and US 2002/0183240 (of record in this application).

DN5, CL 117-02 (American Home Products, priority US 60/395,236), corresponds to US Published Patent Application 2002/0198137, which is of record in this application and US Published Patent Application 2006/0030547.

DN6, CL 816-00 (Schering, priority US 09/288,359) corresponds to WO 2000/06114.


DN6, CL 817-00 (Schering, priority US 09/288,366) corresponds to WO 2000/061175.

A Chinese examination report has issued in the counterpart application which relies upon WO 02/06601, which is of record in this application, as being relevant to obviousness of the claimed subject matter.

The Examiner is respectfully requested to consider the enclosed documents identified in this paper and in the attached Form PTO/SB/08A during the course of examination of this application.

Respectfully submitted,

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<b>Substitute for form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/823,973
				Filing Date	April 14, 2004
				First Named Inventor	Gibbons et al
				Group Art Unit	1642
				Examiner Name	Fetterolf, Brandon J
Sheet	1	of	1	Attorney Docket Number	AM-101323

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1	US-6,511,986	01-28-2003	Zhang	
	2	US-2006-0030547	02-09-2006	Dukart et al	
	3	US-2005-0187184	08-25-2005	Gibbons et al	
	4	US-2003-0153593 A1	08-14-2003	Bohach et al	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	5	PCT WO 2000/061174 A3	10-19-2000	Schering Corporation		
	6	PCT WO 2000/061175 A3	10-19-2000	Schering Corporation		

Examiner Signature		Date Considered	
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.14. this collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETE FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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